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IN THE SUPREME COURT FOR THE STATE OF ALASKA

LIZ VAZQUEZ, CHRIS DUKE, RANDY
ELEDGE, STEVE STRAIT, and
KATHRYN WERDAHL,

Appellants,

v.

LT. GOVERNOR NANCY
DAHLSTROM, in her official capacity as
Lt. Governor for the State of Alaska, and
MICHAELA THOMPSON, in her official
capacity as Director of the Division of
Elections,

Appellees.

JENNIE ARMSTRONG,

Intervenor.

Supreme Court No.: S- _____

Superior Court Case No: 3AN-22-09325 CI

STATEMENT OF POINTS ON APPEAL

COME NOW Liz Vazquez, Chris Duke, Randy Eledge, Steve Strait, and Kathryn Werdhal (“Appellants”), by and through their counsel of record Holmes Weddle & Barcott, P.C., hereby provide the following statement of points on appeal pursuant to

Alaska R. App. 204(e), as numerous errors were made in the Superior Court's judgment entered on January 9, 2023:

1. The Superior Court's decision was based on an errant and inconsistent interpretation of AS 01.10.055, Article II, sec. 2 of the Alaska Constitution, and AS 15.25.043, and AS 15.05.020.
2. The Superior Court's decision was based on an errant application of and reliance on Montana State Law, specifically Montana Statute 13-1-112(8) and *Carwile v. Jones*, 38 Mont. 590 (1909).
3. The Superior Court's decision was based on an errant application of *Lake & Peninsula Borough v. Oberlatz*, 329 P. 3d 214 (Alaska 2014), instead relying on Intervenor's "emotional decision to make Alaska her home" and other subjective evidence. The Superior Court failed to properly weigh the evidence and failed to make clear findings on what objective evidence supported Intervenor's subjective intent.
4. The Superior Court's decision was supported by insufficient evidence.
5. The Superior Court misapplied AS 15.05.020(3).

DATED this 10th day of January, 2023, at Anchorage, Alaska.

HOLMES WEDDLE & BARCOTT, P.C.
Counsel for Appellants

By: /s/ Stacey C. Stone

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CERTIFICATE OF SERVICE

The undersigned certifies that on this 10th day of January, 2023, a true and correct copy of the foregoing document was served via Email to:

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I further certify that the typeface used in the foregoing is 13 point Times New Roman, in accordance with Appellate Rule 513.5(c)(2)

By: /s/ Brian J. Fontaine

Brian Fontaine
Legal Assistant
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